

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-3400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10002667-1

THE  
UNITED STATES GOVERNMENT AND TRADEMARK OFFICE



Inventor(s): Raja Daoud, et al.

Confirmation No.: 6409

Application No.: 09/764,521

Examiner: Blaine T. Basom

Filing Date: 01/18/2001

Group Art Unit: 2173

Title: METHOD AND APPARATUS TO OPTIMIZE A COMPUTING SESSION BASED ON USER INTERACTION WITH A COMPUTER

09764521

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

03/02/2005 FBR1SCDE 00000031 082025

950.00 DR

01 FP:1253

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, March 30, 2004, rejecting the following claims 1-20.  
The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$330.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

( ) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

- ( ) one month \$110.00  
( ) two months \$420.00  
( ) three months \$950.00  
( ) four months \$1480.00

( ) The extension fee has already been filed in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$330.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

09764521

10/13/2004 KHEKOUN 000000668 082025

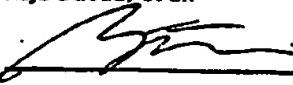
340.00 DR

01 FP:1253

(X) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, Alexandria, VA  
22313-1450. Date of Deposit: 09-30-2004  
OR

Respectfully submitted,

Raja Daoud, et al.

By 

Gregory W. Osterloth

Attorney/Agent for Applicant(s)

Reg. No. 36,232

Date: 09-30-2004

Telephone No.: (303) 291-3200

Rev 05/04 (postAppeal)

Adjustment Date: 06/14/2005 SDINETAI 082025 09764521  
03/02/2005 FBR1SCDE 00000031 950.00 CR  
01 FC:1253

MAY-09-2005 09:42 HEWLETT PACKARD LGL FCOLL  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400

970 898 7247 P.01  
PATENT APPLICATION

ATTORNEY DOCKET NO. 10002667-1

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Raja Daoud et al

Confirmation No.: 6409

Application No.: 09/764521

Examiner: Basom, Blaine T

Filing Date: Jan 18, 2001

Group Art Unit: 2173

Title: Method And Apparatus To Optimize A Computing Session Based On User Interaction With A Computer

Mail Step 16  
Director of the US Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
CENTRAL FAX CENTER

MAY 9 2005

REQUEST FOR REFUND  
IMPROPER CHARGE OF DEPOSIT ACCOUNT

Sir:

I. **REFUND REQUEST**

This is a request for a refund in the amount of \$950, with respect to the charge to Deposit Account No. 08-2025, shown on the statement dated \_\_\_\_\_, for the above identified patent application.

(X) A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

II. **FEES CHARGED FOR WHICH REFUND IS REQUESTED**  
1253 for \$960

III. **EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

A final rejection was mailed on 3/30/2005. Applicant filed a response after final rejection on May 28, 2004 within the two month deadline. When no advisory action was received by the 6 month deadline, Applicant filed a Notice of Appeal on September 30, 2004. Applicant later received an advisory action from the examiner which was mailed on 9/30/04. Since Applicant timely filed a response to the final rejection, timely filed a Notice of Appeal, and timely filed the appeal brief on 11/30/2005, no extension of time fees are necessary.

IV. **MANNER OF REFUND**

Please make refund of \$950 crediting Account No. 08-2025.

( ) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450  
Date of Deposit: \_\_\_\_\_  
OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number on May 9, 2005 (703) 272-9306

Number of pages:

Typed Name: Donna M Kraft

Signature: Donna M Kraft

Respectfully submitted,

Raja Daoud et al

By

T. Grant Ritz

T. Grant Ritz  
Attorney/Agent for Applicant(s)  
Reg. No.: 39,819

Date: 5-9-05

Telephone No.: (970) 898-0697



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
 United States Patent and Trademark Office  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

MONTHLY STATEMENT  
OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

HEWLETT-PACKARD COMPANY  
 ATTN: MARIA CARROLL/CATHIE GROW  
 INTELLECTUAL PROPERTY ADMINIS. M/S 35  
 P.O. BOX 272400  
 FT. COLLINS CO 80527-2400

FINA

Account No.
082025
Date
3-31-05
Page
4

RECEIVED  
 CENTRAL FAX CENTER

MAY 09 2005

PLEASE SEND REMITTANCES TO:  
 U. S. Patent and Trademark Office  
 P.O. Box 70541  
 Chicago, IL 60673

DATE POSTED	CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEES CODE	CHARGES/ CREDITS	BALANCE	
MO. DAY YR.							
3 2 05	2	09873687	10003826-1	1202	108.00	485864.40	
3 2 05	2	09708774	10001258-1	1801	790.00	485074.40	
3 2 05	3	PAYMENT		9203	-400000.00	885074.40	
3 2 05	3	09708774	10001258-1	1252	450.00	884624.40	
3 2 05	4	10697830	10015701-1	1202	300.00	884324.40	
3 2 05	5	10697830	10015701-1	1201	1200.00	883124.40	
3 2 05	6	10814073	100201443-2	1051	130.00	882994.40	
3 2 05	7	10823182		1501	1400.00	881594.40	
3 2 05	7	10081720	18973-75	1814	130.00	881464.40	
3 2 05	8	10106908		1401	500.00	880964.40	
3 2 05	8	10823182		1504	300.00	880664.40	
3 2 05	8	10039010	200304299-1	1202	350.00	880314.40	
3 2 05	9	10039010	200304299-1	1201	600.00	879714.40	
3 2 05	20	10987056	200404693-1	1051	130.00	879584.40	
3 2 05	30	10734624	30990084-4	1806	180.00	879404.40	
3 2 05	31	10279644	100111063-1	1501	1400.00	878004.40	
3 2 05	31	10734624	30990084-4	1201	800.00	872204.40	
3 2 05	32	09764521	10002667-1	1253	950.00	876254.40	
3 2 05	32	10279644		100111063-1	1504	300.00	875954.40
3 2 05	33	10425788		100200197-1	1501	1400.00	874554.40
3 2 05	34	10425788		100200197-1	1504	300.00	874254.40
3 2 05	35	09698644	10002988-1	1501	1400.00	872854.40	
3 2 05	36	09698644	10002988-1	1504	300.00	872554.40	
3 2 05	37	10421520	100201136-1	1801	790.00	871764.40	
3 2 05	37	10403922		1814	130.00	871634.40	
3 2 05	37	10999282	200408253-1	1051	130.00	871504.40	
3 2 05	38	10999739	200408000-1	1051	130.00	871374.40	
3 2 05	38	10421520	100201136-1	1251	120.00	871254.40	
3 2 05	74	11066963	200404135-1	1011	300.00	870954.40	
3 2 05	75	11066963	200404135-1	1111	500.00	870454.40	
3 2 05	75	09628919		1501	1400.00	869054.40	
3 2 05	76	11066963	200404135-1	1311	200.00	868854.40	
3 2 05	77	11066963	200404135-1	1201	400.00	868454.40	
3 2 05	78	11066963	200404135-1	1202	1200.00	867254.40	
3 2 05	89	10632508	200209918-1	1801	790.00	866464.40	
3 2 05	100	10606463	2002080511	1806	180.00	866284.40	
AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT			OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE	

PAGE 2/5 \*RCVD AT 5/9/2005 11:35:48 AM [Eastern Daylight Time]\* SVR:USPTO-EFXRF-1/0 \* DNI:8729306 \* CSID:970 898 7247 \* DURATION (mm:ss):01:34 \*DRAWN

**RECEIVED IN RE:****Confirmation No.: 6409****APPLICATION NO.:** 09/764,521**APPLICANT(S):** Raja Daudud, et al.**FILED:** 01/18/2001**FOR:** "METHOD AND APPARATUS TO OPTIMIZE A COMPUTING SESSION  
BASED ON USER INTERACTION WITH A COMPUTER"  
**GROUP:** 2173**ITEMS ENCLOSED:**

1. Certificate of Express Mail; 2. Transmittal Letter for Response/Acknowledgment (if duplicate); 3. Reply Under 37 CFR 1.16 – Expedited Procedure (3 pages); and 4. Post Office Box #4 for filing by the United States Patent and Trademark Office.

**Express Mail Label No.:** EL 26469218 US**Mailing Date:** May 26, 2004

(IP) (0002657-15SwO)

Please place the official stamp of the Patent Office on this card and file it in your files to constitute an acknowledgment by the Patent Office of receipt of the above identification of the date stamped.

MAY-09-2005 09:42

HEWLETT PACKARD LGL FCOLL

970 898 7247 P.04

**HEWLETT-PACKARD COMPANY**  
 Intellectual Property Administration  
 P. O. Box 272400  
 Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10002667-1

**IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Raja Daoud, et al.

Confirmation No.: 6409

Application No.: 09/764,521

Examiner: Blaine T. Basom

Filing Date: 01/18/2001

Group Art Unit: 2173

Title: METHOD AND APPARATUS TO OPTIMIZE A COMPUTING SESSION BASED ON USER INTERACTION WITH A COMPUTER

**Mail Stop AF**  
**Commissioner for Patents**  
**PO Box 1450**  
**Alexandria, VA 22313-1450**

**TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT**

Sir:

Transmitted herewith is/are the following in the above-identified application:

- |                                 |  |
|---------------------------------|--|
| (X) Response/Amendment          | ( ) Petition to extend time to respond |
| ( ) New fee as calculated below | ( ) Supplemental Declaration           |
| (X) No additional fee           |  |
| ( ) Other: _____                | (fee \$ _____)                         |

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY							
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES	
TOTAL CLAIMS	20	MINUS	20	= 0	X 0.18	\$ 0	0
INDEP. CLAIMS	3	MINUS	3	= 0	X 0.86	\$ 0	0
[ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						+ \$290	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$850.00	4TH MONTH \$1480.00		\$ 0	0
OTHER FEES						\$ 0	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0	0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

"Express Mail" label no. EL 864833216 US

Respectfully submitted,

Raja Daoud, et al.

By

  
Gregory W. OsterlochAttorney/Agent for Applicant(s)  
Reg. No. 36,232

Date: 05-26-2004

Rx-05/04 (MandExp)

Telephone No.: (303) 291-3200  
- Attach as First Page to Transmitted Papers -